

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

ARCH WOOD PROTECTION, INC.,)
)
Plaintiff,)
) Case No. 1:10-CV-282
v.)
) Chief Judge Curtis L. Collier
FLAMEDXX, LLC,)
)
Defendant.)

O R D E R

On August 9, 2012, pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), United States Magistrate Judge William B Carter filed a report and recommendation (“R&R”) in this case (Court File No. 50). In the R&R, Judge Carter recommends attorney’s fees and costs be imposed on Defendant FlamedXX, LLC in the amount of \$37,940.35 (Court File No. 50). Neither party filed a timely objection to the R&R.

After reviewing the record, this Court agrees with the R&R. The Court hereby **ACCEPTS** and **ADOPTS** the magistrate judge’s findings of fact, conclusions of law, and recommendations pursuant to Rule 72(b) (Court File No. 50).

Accordingly, the Court **ORDERS**:

- (1) Plaintiff shall be awarded fees and expenses incurred in preparation of the application for default, motion for default judgment, and response in opposition to motion to set aside, for a total of **\$13,719.25.00**;
- (2) Plaintiff shall be awarded fees and expenses incurred in preparation of the February 8, 2012 evidentiary hearing, for a total of **\$22,106.90**; and
- (3) Plaintiff shall be awarded fees and expenses incurred in its attempts to obtain service on FlamedXX, for a total of **\$2,114.20**.

SO ORDERED.

ENTER:

/s/

CURTIS L. COLLIER
CHIEF UNITED STATES DISTRICT JUDGE